

1614 of my register, and is now in the collection of my friend Mr. William Brewster.

Anthus spragueii. SPRAGUE'S PIPIT.—On the morning of November 1, 1904, I saw and *heard* a Sprague's Pipit *sing* while it was flying high in the heavens. I apparently saw the very spot where it alighted, but although I hunted the ground thoroughly throughout the entire day, I failed to find the bird. For previous records of the capture of this species in South Carolina by the writer, see 'The Auk,' Vol. XI, 1894, p. 80, and Vol. XVIII, 1901, p. 275.

In this connection I wish to place on record a bird of this species which I saw and also heard *sing* while it was flying overhead. This record was made the first week in November, 1892, on the west shore of Lake Tohopekaliga, Osceola County, Florida. I have no doubt that ornithologists who will investigate the fauna of this lake during the winter, will find this species to be a regular winter visitor there.

THE STATUS OF CERTAIN SWAINSONIAN GENERA OF BIRDS.

BY J. A. ALLEN.

IN a recent paper by Mr. Oberholser, entitled 'Notes on the Nomenclature of Certain Genera of Birds' (Smiths. Misc. Coll., Quart. Issue, III, pp. 59-68, May 13, 1905), noticed on a later page of this journal (*postea*, p. 436), several genera proposed by Swainson in 1827 are considered, with the result that Mr. Oberholser concludes that the status hitherto universally conceded to them by ornithologists "must apparently be changed." These genera are *Xiphorhynchus*, *Vermivora*, *Tiaris*, and *Ammodramus*. The first (*Xiphorhynchus*) is transferred to displace *Dendrornis* Eyton, 1852, and the new name *Xiphornis* is proposed for the

group hitherto currently recognized under the name *Xiphorhynchus*, resulting in a change of the generic name of nearly fifty species and subspecies. *Vermivora* is made to replace *Helminthophila*. In respect to *Tiaris*, he follows Dr. Richmond in replacing it with *Euethia* Reichenbach, 1850, and the group to which *Tiaris* has of late been restricted he renames *Charitospiza*. *Ammodramus* is transferred to the group usually known as *Coturniculus*, and *Ammodramus* is replaced by the new name *Ammospiza* Oberholser, for the *A. maritimus-caudacutus* group.

For such startling revolutions in nomenclature there should be the best of reasons. In determining whether such have been given, the facts in the case may be first stated, as follows: In the year 1827, Swainson published two papers on birds of far-reaching importance in their bearing on nomenclature, and which must be considered together. Unfortunately, through circumstances wholly beyond the control of the author, the paper written last was published first, greatly to the author's regret and disgust, as will presently appear. It is this transposition in the order of publication which gives Mr. Oberholser his excuse for overturning the long-accepted status of the four generic names above-cited.

The first of these two papers, in the order of preparation, is entitled 'On Several Groups and Forms in Ornithology, not hitherto defined.' In this paper 64 genera are either redefined or named and characterized as new, and for 58 of them a type or types (usually a single type) is explicitly designated.

The second paper is entitled 'A Synopsis of the Birds discovered in Mexico by W. Bullock, F. L. S. and H. S., and William Bullock, Jr.,' in which the birds contained in the Bullock Collection were enumerated, the species supposed to be new were described, and the generic names proposed in the first paper, so far as they relate to Mexican birds, were employed.

The first paper was published in the 'Zoölogical Journal,' Vol. III, 1827-1828, and appeared in two parts, the first part (pp. 158-175) in the 'April-July' issue (1827), and the second part (pp. 343-363) in the 'August-November' issue (1827). The exact date of publication is not known, but the two parts may presumably be citable respectively as July, 1827, and November,

1827. The introduction to this paper was dated (*l. c.*, p. 162), "Warwick, 15th Nov. 1826," when, as Swainson himself states later, the manuscript was sent to the editors of the 'Zoölogical Journal' for publication.

During the interval between the transmission of this paper to the 'Zoölogical Journal' and its publication (in the case of the second part, a period of about twelve months), his second paper, on Mexican birds, appeared in the 'Philosophical Magazine' (New Series, Vol. I, 1827), also published in two parts, the first part (pp. 364-369) appearing in the number for May, the second part (pp. 433-442) in the number for June. It is fair to infer that the two parts are respectively citable as appearing in May and June, 1827, or two and six months before the paper on the new genera.

In the introduction to the second paper (*l. c.*, p. 365), Swainson makes the following statement: "The generic definitions will, I hope, shortly appear in another Journal, to which they have been sent with the intention of preceding the publication of this paper, ever since last November. By this unfortunate delay, I am reduced to the unpleasant necessity of referring to a book not yet published, for what the reader should have the immediate power of consulting."

In the case of new species belonging to these genera, fifteen in number, he gave, a reference to the first paper, as follows: "G. [enus] TYRANNULA" (or whatever the name may be), followed by "*Swains. in Zool. Journ. No. 10.*" In eleven of these cases the only species mentioned happened to be the one he had previously designated as the type of the genus.

We have here a case where an author described a number of genera in the most formal way, giving diagnoses of them and specifying their types, but through the earlier publication of a subsequently written paper by the same author,—due to fortuitous circumstances wholly beyond his control, and also greatly to his regret,—some of these genera were first published in association with other species than those he had originally designated as the types. Is it reasonable, or consistent with the best interests of nomenclature, that in such a case an author's plain and deliberate designation of types should be ignored because the genera accidentally became associated, a few weeks earlier, by the

same author, with species not intended as their types? Such a proceeding is contrary to the traditions and usages of systematists in such matters, and quite contrary to the spirit of the *lex prioritatis*, since in determining generic types *where no type is specified*, the author's meaning and intention, if ascertainable are, by common consent, given consideration. How much more then should a strained technicality be waived where an author has distinctly indicated his type species. Does the first association of a specific name with a generic name necessarily determine the species thus mentioned as the type of the genus in question? Ordinarily it most certainly would, but in the present case such a procedure antagonizes and contravenes the purpose of the author in establishing his genus. Viewed from any standpoint of logic, such a proceeding would be in the highest degree absurd.

If no type had been distinctly specified by Swainson, as a part of his diagnosis, for his new genera, it would be necessary to take as the type the first species he associated with them, and in that case his paper on Mexican birds would determine the type for the genera here under special notice. For example, he proposed, among others, the genus *Spermagra* (Zoöl. Journ., III, 1827, p. 346) without indicating a type, but in the paper on Mexican birds he described under this genus the single species *Spermagra erythrocephala*, which thus became of course its type. *Spermagra*, however, is a synonym of *Firanga* Vieillot, 1807, and the species is now recognized as *Piranga erythrocephala* (Swainson).

If some other author had by chance published a paper in which any of Swainson's generic names had been used in connection with a properly designated species, or if Swainson's paper on Mexican birds had been written by some other author and published in advance of Swainson's paper containing his new genera, the case would be different, since under such circumstances the earliest publication would have to be taken. In the apparently unique case of Swainson's two papers, it is far more sensible, and saves serious complications, to accept Swainson's designations of the types of his own genera, as they have heretofore been universally accepted.

There are times, therefore, when the exercise of common sense in the enforcement of even a rigid rule is commendable. The avowed purpose of all rules of nomenclature is to secure stability

in the use of names. It is not for the overthrow of names established by all the safeguards of formality, and as such accepted by all authorities as satisfactory for three-fourths of a century, as in the present instances.

Furthermore, a careful examination of all the facts in the case shows that the conditions in respect to some of the names here particularly under discussion are not quite as represented by Mr. Oberholser in his brief comment on them. In the case of *Xiphorhynchus*, he says: "Although Swainson evidently intended to make *Dendrocolaptes procurvus* Temminck the type of *Xiphorhynchus* [he expressly states that this species is the type], he defeated his purpose by *allowing* the previous publication of *Xiphorhynchus* in combination with the name of a species of *another group*, such publication being quite sufficient to fix the name of a genus. *Since the case is not complicated by the mention of any other species*, *Xiphorhynchus flavigaster* Swainson must be considered the type of *Xiphorhynchus* and this generic term therefore transferred to displace *Dendrornis*."

In the above transcript, I have italicised the points to which I would call attention. It is hardly fair to say Swainson "allowed" this procedure, for he had, under the circumstances, as detailed above, no alternative. The reference to "another group" is also hardly fair, since there was then no "other group" recognized in this connection. At this time many species were grouped by Swainson as congeneric which ten years later he placed in different genera of his own founding.¹ At this time he considered his *X. leucogaster* and *X. flavigaster* as congeneric with *X. procurvus* (Temm.), the species he designated as the type of *Xiphorhynchus*. Hence all the more should regard be paid to his designated types. Again, instead of the case being "not complicated by the mention of any other species," Swainson here described *two* species of *Xiphorhynchus*, *X. leucogaster* and *X. flavigaster*, and Mr. Ober-

¹ In his 1827 paper on Mexican birds, he placed the species of both *Zamelodia* and *Guiraca* all under *Guiraca*; and included under *Agelaius* (= *Agelaius* Vieill.) species of *Agelaius*, *Molothrus* and *Xanthocephalus*; and so on in other cases. This feature of the subject, however, is merely of historic interest, and has, of course, no important bearing on the main questions at issue.

holser has taken the second one in place of the first for *his* type of *Xiphorhynchus*. The first of these species (*leucogaster*) is now referred to *Picolaptes* Lesson, 1831, and the other (*flavigaster*) to *Dendroornis* Eyton, 1852. Thus by the restrictions of other authors, two of Swainson's original species of *Xiphorhynchus* were long since disposed of, *procurvus* of Temminck having been in the mean time conserved, as Swainson originally intended, as the type of *Xiphorhynchus*.

To take the next case, *Vermivora* was evidently the genus to which at this time Swainson would have referred all of the then known species of the present genera *Helminthophila*, *Protonotaria*, *Helinaia* and *Helmitheros*, as they were commonly referred by most authors throughout the next two decades, and he actually thus referred such species of *Helminthophila* as he had occasion to treat in the second volume of the 'Fauna-Boreali-Americana' in 1831. This explains his reference of Wilson's *Sylvia solitaria* to this genus while he designated *Sylvia vermivora* Wilson as its type; and he even goes so far as to credit the name *Vermivora* to Wilson! This under a recently published consensus would necessarily make *Sylvia vermivora* Wilson (= *Motacilla vermivora* Gmelin) the type of *Vermivora*, which thus becomes a pure synonym of *Helmitheros* Rafinesque, 1819, and cannot be revived for the group currently known as *Helminthophila*.

Swainson's *Tiaris* was intended as a comprehensive group, and was so used by various writers up to about 1850, so that it is not strange that Swainson should have included in it a species of *Euetheia*, although he designated a quite different bird (*Fringilla ornata* Wied) as the type. This assignment was respected by all authors till 1902, when Dr. Richmond (*Auk*, XIX, 1902, p. 87) raised the point that six months before the generic diagnosis was published the name was associated with another species referable to *Euetheia*; to this group he unfortunately proceeded to transfer the name, leaving the original *Tiaris* without a name, which Mr. Oberholser here supplies, calling it *Charitospiza*. Under the circumstances of publication of Swainson's two papers already narrated, this seems, for reasons given above, an unfortunate procedure, which we very much doubt will meet with general acceptance.

Regarding *Ammodramus* Swainson, Mr. Oberholser says: "Since the term . . . belongs to *Coturniculus*, as already shown, another name is required for the group to which the former has been applied, and as there is none such available, it may be called *Ammospiza*, . . ." Under *Coturniculus*, on a preceding page, he says: "An earlier name for *Coturniculus* Bonaparte is found in *Ammodramus* Swainson, the real type of which is *Ammodramus bimaculatus* — not, as commonly considered, *Fringilla caudacuta* Wilson (= *Oriolus caudacutus* Gmelin). . . . The forms of this group will be therefore once more in possession of their former generic designation, . . ." This case is, as he says, "precisely similar to those of *Xiphorhynchus* and *Tiaris*, since the first use of *Ammodramus* is in the original description of *Ammodramus bimaculatus*, the western continental form of *Ammodramus savannarum* (Gmelin), antedating by several months the publication of an article wherein *Fringilla caudacuta* Wilson is given as the type."

For many years prior to the publication of the first edition of the A. O. U. Check-List (1886) *Ammodramus* was almost universally restricted to the *A. caudacutus-maritimus* group, *Passerculus* and *Coturniculus* being accorded full generic rank, but in this publication they were reduced to subgenera of *Ammodramus*. This step was not approved outside of the American Ornithologists' Union, and its Committee on Nomenclature, recognizing that an error had been made in the treatment of these groups, in 1903 (Auk, XX, July, 1903, pp. 347-350) raised them to the rank of full genera, with, however, some modification as to their constituent species. It is therefore hardly a fair statement to say, as Mr. Oberholser does, that the substitution of *Ammodramus* for *Coturniculus* returns to the species and subspecies of that group "their former generic designation," when in truth *Ammodramus* in the restricted sense has never pertained to them but to the *A. caudacutus-maritimus* group, and the name was used to cover the *Coturniculus* forms only temporarily by a small part of writers on the group. By many writers *Coturniculus* is merged with *Ammodramus* and treated as merely a synonym of it. Even the A. O. U. Committee has recently transferred all the species formerly placed in *Coturniculus*, except the *savannarum* group, to *Ammodramus*, while the latest authorities who accept

Coturniculus as a genus do it with reservation, and by restricting it to the *savannarum* group. Owing to its doubtful status, if for no other reason, it seems ill-advised to uproot *Ammodramus* from its time-honored associations and transfer it to a group of doubtful status, likely at any time, by almost general consent, to be merged with it, for the sake of establishing a new name on a strained technicality. For, as already said above, the accidental first use of *Ammodramus* in connection with the western form of *savannarum* ought not to outweigh the author's deliberate designation of the type of the genus to which he incidentally and without any incongruous transgression of the real relationship of the forms in question, referred another species. If such lapses from propriety and good judgment as Mr. Oberholser here illustrates should secure partial endorsement, the goal of stability in nomenclature will be more distant than ever, for it does not seem possible that such rulings will meet with general acceptance.

GENERAL NOTES.

A Holbœll's Grebe (*Colymbus holbœlli*) at Englewood, N. J., in June.— This particular individual was present on an artificial ice pond in Englewood for at least three weeks. It was first seen on June 10 and was seen on three consecutive Saturday afternoons. It disappeared between the 24th and 27th. A trolley line runs along the road to the east of the pond, on the other side of which are some golf links. There is another road on the north bank. Two ice storage houses are on the banks, from which ice was taken on several occasions. A breakwater runs along about fifteen feet from the south bank. The grebe was most often in the center of the pond, though continually swimming all over, sometimes getting inside the breakwater. If near the trolley line when a car came along and startled it, it would take to flight and often make a complete circuit of the pond before alighting again. Automobiles startled it more than the trolley cars. The small fish in the pond formed an abundant food supply. It was not in breeding plumage and may have been a bird born last year. The neck was brown, tinged with reddish, and the throat and sides of the head mouse color. — GEORGE E. HIX, *New York City*.